#### RECEIVED CENTRAL FAX CENTER

PATENT OCT 2 2 2007

#### DORSEY & WHITNEY LLP

US BANK CENTRE 1420 5TH AVENUE, SUITE 3400 SEATTLE WA 98101

FACSIMILE COVER SHEET (206) 903-8820

October 22, 2007

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

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FROM: Jennifer M. Lane

TELEPHONE: (206) 903-8800 Main; (206) 903-8836 Direct

Applicants: Eric B. Cummings et al.

Attorney Docket No.: 33532/US

Serial No.: 10/760,139

Group Art Unit

: 1753

Filed

: January 16, 2004

Examiner

: Surekha Vathyam

Title

: DIELECTROPHORESIS DEVICE AND METHOD HAVING NON-UNIFORM

ARRAYS FOR MANIPULATING PARTICLES

Date Sent: October 22, 2007

**Date Due** 

: November 3, 2007

#### **Documents Attached for Filing:**

200-mann 100 v B.	No. Pages
Fee Transmittal Sheet (+ copy)	2
Response Under 37 CFR 1.116	13
Annotated Drawing Sheet Showing Changes (Fig 3)	1
Replacement Drawing Sheets (Figs 1-4d)	4
Exhibits 1-6	35
Total Number of Pages (including cover sheet):	56

#### Original will not be sent

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BILLING # 467167-15

## HECELVED CENTRAL FAX CENTER

### OCT 2 2 2007

Effective on 9/30/07			Complete if Known			
Application No. 10/760,139						
	Filing Date January 16, 2004					
FEE TRANSMITTAL SHEET	First Inventor Eric B. C		Eric B. Cummings			
(FY 2008)			1753			
	ļ		Surekha Vathyam			
Applicant claims small entity status (see 37 C.F.R. 1.27)	Examiner Name Surekha Vathyam  Atty, Docket Number 33532/US					
METHOD OF PAYMENT (Check One)	FEE CALCULATION (Continued)					
X) The Director is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No. 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP.	Large Entity Fee	Smáll Entity Fee	3. ADDITIONAL FEES Fee Description	Fee paid		
X Check Enclosed.	50	25	Surcharge - late provisional filing fee or cover sheet	<u>-</u>		
Extra Claim Fees	130	65	Surcharge – Late nonprovisional filing fee or oath			
Current Claims Prior Extra Fee Fee Paid	180	180	Submission of IDS			
Total 11 - 21 = 0 x \$50 = \$0 Ind. 3 - 3 = 0 x \$200 = \$0 Multiple Dependent Claims x \$ = \$	40	40	Recording each patent assignment per property (times number of properties)			
Subtotal (Extra Claims) \$0	120	60	Extension for reply within first month	. ——		
	460	230	Extension for reply within second mont	<u> </u>		
Petition Fee Under 37 CFR 1.17(f), (g), & (h)  Enclosed is a Petition filed under 37 CFR as indicated below:	1,050	525	Extension for reply within third month	<del></del>		
Petition Fee under 37 CFR 1.17(f) Fee \$400	1,640	820	Extension for reply within fourth month			
§ 1.53(e) to accord a filing data.	2,230	1,115	Extension for reply within fifth month			
§ 1.57(a) to accord a filing date. § 1.182 for decision on a quastion not provided for.	810	405	Submission After Final 1.129			
§ 1.183 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed	510	255	Notice of Appeal			
payment of maintenance fee in expired patent.  § 1.174(b) to accord a filing date to an application under §1.740 for extension	610	255	Filing a brief in support of an appeal			
of patent term.  Petition Fee under 37 CFR 1.17(g)  Fee \$200	1,030	515 65	Request for oral hearing Terminal Disclaimar Fee			
§ 1.12 for access to an assignment record.	820	410	Design Issue Fee			
§ 1.14 for access to an application. § 1.47 for filing by other than all Inventors or person not the inventor. § 1.59 for expungement of information.	810	405	Request for Continued Examination (RCE)			
§ 1.103(a) to suspend action in an application. § 1.136(b) for review of a request for ext. of time when §1.138(a) not avail. § 1.295 for review of refusal to publish a statutory invention registration.	130		Request for voluntary publication or republication			
§ 1,295 to withdraw a req. for pub. after notice of Intent to publish issued.	510	255	Petition to Revive - unavoidable			
prior to expiration of a patent.	1,540	770	Petition to Revive – unintentional			
§ 1.956 For request for ext. of time in <u>ex parte</u> reexam, proceedings.	200		Filing for patent term adjustment			
§ 5.12 for expedited handling of foreign filing license. § 5.15 for changing the scope of a ticense.	400		Request for reinstatement of term reduced			
§ 1.5.25 for retroactive license.  Petition Fee under 37 CFR 1.17(h)  Fee \$130	1,120		Extension of term of patent			
\$ 1.19(g) to request documents in a form other than provided in this part. \$ 1.84 for accepting color drawings or photographs.	OTHER FEE (specify)			<u> </u>		
§ 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.136(c) to expressly abandon an application to avoid publication.	, , , , , , ,	-	Subtotal (Additional Fee	5)		
§ 1.313 to withdraw an application from Issue. § 1.314 to defer issuance of a patent.			Total Amount of Paymen	t:		
Submitted by:	<del>.</del> .	· · · · · · · · · · · · · · · · · · ·		* ****		
CUSTOMER NUMBER DORSEY & WHITNEY LLP 27,076	1420 Fifth Avenue, Suite 3400 Seattle, WA 98101-4010					
	(20	0) 903-00	00 phone / (206) 903-8820 fax Reg. No.: 51,916			
Name: Jennifer M. Lane			Date:	,		
Signature:			10 22	07		

# **CENTRAL FAX CENTER**

COCT 2 2 2007

Effective on 9/30/07				Complete if Kn	own	
			lication No. 10/760,139			
·	Filing Date January 16, 2004					
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(FY 2008)	Group Art Unit			1753		
	Examiner Name Surekha Vathyam					
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Ind. 3 - 3 = 0 x \$200 = \$0	40	40	Rec	ording each patent enty (times number	assignment per r of properties)	\$
Multiple Dependent Claims x 5 = \$ property (times named of pro-		In first month	\$			
	460	230		ension for reply with		\$
Petition Fee Under 37 CFR 1.17(f), (g), & (h)  Enclosed is a Petition filed under 37 CFR as Indicated below:	1,050			ension for reply with		\$
Petition Fee under 37 CFR 1.17(f) Fee \$400	1,640			ension for reply with		
§ 1.53(e) to accord a filing date. § 1.57(a) to accord a filing date.	2,230	1,115 406		ension for reply with		<u> </u>
§ 1.182 for decision on a question not provided for. § 1.183 to suspend the rules.	510	405 255	Submission After Final 1.129  Notice of Appeal		\$	
§ 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.	510	255		iling a brief in support of an appeal		\$
§ 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term.	1,030			uest for oral hearin	<u>`</u> \$	
Petition Fee under 37 CFR 1.17(g) Fee \$200	130	65		ninal Disclaimer Fe	\$	
§ 1.12 for access to an assignment record. § 1.14 for access to an application.	820	410	Des	Design Issue Fee		\$
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§ 1.295 for review of refusal to publish a statutory invention registration. § 1.296 to withdraw a req. for pub. after notice of intent to publish Issued. § 1.377 for review of decision refusing to accept a maintenance fee filed	510	255	•	Petition to Revive – unavoidable		\$
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§ 1.550(c) for request for ext. of time in ex parte reexam. proceedings. § 1.956 for request for ext. of time in ex parte reexam. proceedings.	200		Filing for patent term adjustment			
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§ 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication.		-37		Subtotal (	Additional Fees)	\$0
§ 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.				Total Amount	of Payment:	\$0
Submitted by:						
CUSTOMER NUMBER DORSEY & WHITNEY LLP 27,076	1420 Fifth Avenue, Suite 3400 Seattle, WA 98101-4010 (206) 903-8800 phone / (206) 903-8820 fex					
Name: Jennifer M. Lane					g, No.: 51,916	
Signature: 10 22 07						